

**Exhibit 16**  
**(Unsealed)**  
**(Previously Filed Under Seal as Dkt. 412)**

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

FAIR ISAAC CORPORATION,

Court File No. 16-cv-1054 (WMW/DTS)

Plaintiff,

v.

**FEDERAL INSURANCE COMPANY'S  
FOURTH SUPPLEMENTAL ANSWER  
TO PLAINTIFF'S INTERROGATORY  
NO. 19**

FEDERAL INSURANCE COMPANY,  
an Indiana corporation, and ACE AMERICAN  
INSURANCE COMPANY, a Pennsylvania  
corporation,

Defendants.

To: Plaintiff and its attorneys, Allen Hinderaker, Heather Kliebenstein and Michael A. Erbele, Merchant & Gould P.C., 3200 IDS Center, 80 South Eighth Street, Minneapolis, MN 55402.

Defendant Federal Insurance Company ("Federal"), for its Fourth Supplemental Answer to Plaintiff's Interrogatory No. 19, state and allege as follows:

**GENERAL RESPONSES**

1. Federal objects to the Definitions and Instructions to the extent that they seek to impose obligations on Federal that either exceed, or are different from, what is required under the Federal Rules of Civil Procedure, District of Minnesota Local Rules, and the Stipulated E-Discovery Order.

2. Federal objects to the requests to the extent that they seek information protected from discovery under the attorney-client privilege or work product doctrine.

3. Federal's responses and objections are made to the best of Federal's present knowledge, information, and belief. Federal's responses and objections are limited to information within its possession, custody, or control. Federal reserves the right to amend,



supplement, or change any responses and objections if and when additional, different, or more accurate information becomes available and/or facts are developed.

4. Federal gives these Responses subject to all objections to admissibility that may be interposed in this proceeding.

**FOURTH SUPPLEMENTAL ANSWER TO INTERROGATORY NO. 19**

**INTERROGATORY NO. 19:** From the date of first use of the Blaze Advisor® software in Canada and thereafter by quarter, the gross written premium of each such company, including specific identification of each company, from all insurance policies in connection with which the Software was used.

**ANSWER:** Federal objects to the request for “all” insurance policies and the request for information without any time limitation as overbroad, unduly burdensome, and not proportional to the needs of the case. Federal also objects to this Interrogatory as compound and impermissibly constituting multiple interrogatories, which are limited in number under the Federal Rules. Federal also objects to this Interrogatory as vague and ambiguous in referring to any “such company,” failing to identify the relevant “use,” and calling for insurance policies “in connection with.” Federal further objects to this Interrogatory because “the gross written premium of” some unidentified “such” company is not relevant to any claim or defense in this action, including because Federal’s profits are not reasonably related to the alleged infringement, as is necessary for FICO to obtain an award of the defendant’s profits. *See, e.g., Francois v. Ruch*, 2006 WL 3735950, at \*3 (C.D. Ill. Dec. 15, 2006). Federal further objects to the extent the Interrogatory seeks information not in the possession, custody, or control of Federal, and thus exceeds the scope of discovery under Federal Rule 26(b)(1).

Subject to, and without waiving these objections, Federal states the following:

- For the Personal Risk Services (PRS) business unit in Canada, the following application uses Blaze Advisor® software: Evolution. The approximate gross written premiums, policy counts, and identification of the insurance writing

company that issued insurance policies that used that application, in connection with which the Blaze Advisor® software was used, is provided in the chart below for the years requested. Discovery is continuing.

Year	Gross Written Premium	Policy Count	Writing Company
2018	\$337,000,000	95,000	Chubb Insurance Company of Canada
2017	\$330,000,000	85,000	Chubb Insurance Company of Canada
2016	\$308,000,000	86,000	Chubb Insurance Company of Canada
2015	\$303,000,000	84,000	Chubb Insurance Company of Canada

- The PRS business unit in Canada does not use the Adapt application at all, and therefore, because that application has not been installed, it is impossible to run any query through that application to search for gross written premiums and policy counts. Accordingly, there is no policy count, gross written premium, or writing company to be produced for the Adapt application in the PRS business unit in Canada.
- The Broker Site application is a front-end quoting system with an integrated database with Evolution. The Broker Site application does *not* use the Work Manager component, which is the *only* component of the Evolution application that uses Blaze Advisor®. Accordingly, there are no policies issued or gross written premium generated by the Broker Site application in the PRS business unit in Canada.

Dated: February 28, 2019

s/Terrence J. Fleming

Terrence J. Fleming (#0128983)

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***Attorneys for Defendants***

**VERIFICATION**

Zorica Todorovic states under oath that she is a Senior Vice President – Operations and IT, CIO, Chubb Insurance Company of Canada; that she is authorized to respond to Plaintiff’s Interrogatory No. 19 on behalf of Federal Insurance Company; that she has relied on directors, employees, agents, and attorneys to provide information used in formulating the answer to the above interrogatory; and that the answer is true and correct to the best of her knowledge.

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Zorica Todorovic

Subscribed and sworn to before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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Notary Public